

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE VAN,

Defendant.

Case No. 05-90038

Hon. John Corbett O'Meara

ORDER

Before the court is Defendant's motion to exclude a videotaped interview from evidence, which was filed on May 9, 2006. The government submitted a response on May 22, 2006. The court heard oral argument on May 24, 2006, and took the matter under advisement.

The court has reviewed the parties' briefs and the videotape in question. The court finds that the admissibility of the videotape will be more appropriately determined in the context of the testimony at trial.

Accordingly, IT IS HEREBY ORDERED that Defendant's Motion to Exclude the Introduction of a Videotaped Interview of the Defendant [docket # 25] is DENIED WITHOUT PREJUDICE.

It is FURTHER ORDERED that Defendant's Motion to Exclude Prior Bad Acts Evidence [docket # 20] is GRANTED for the reasons stated on the record.

It is FURTHER ORDERED that the government's Motion for Introduction of Evidence

pursuant to Rule 404(b) [docket # 23] is DENIED for the reasons stated on the record.

s/John Corbett O'Meara
John Corbett O'Meara
United States District Judge

Dated: June 6, 2006